

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kratzenberg et al. Examiner: James W. Myhre
 Application Number: US10/511,948 Art Unit: 3622
 Confirmation Number: 8679
 Filing Date: October 21, 2004
 Title: SYSTEM FOR UTILIZING INFORMATION CARRIERS
 IN COMMERCIALLY USED FACILITIES

INFORMATION DISCLOSURE STATEMENT LETTER

This Information Disclosure Statement Letter (hereinafter sometimes referred to as "IDS") is submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98, and it is requested that the information set forth in this statement and in the documents, listed on the attached Form PTO/SB/08A (Form PTO-1449), be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

TIMELINESS

This IDS should be considered, as it is filed:

- ☐ in accordance with 37 C.F.R. § 1.97(b):
- ☐ 1. within three months of the filing date of the above-identified national application.
 - ☐ 2. within three months of the date of entry of the national phase as set forth in 37 C.F.R. § 1.491 in the above-identified application being an international application.
 - ☐ 3. before the mailing date of a first office action on the merits.
 - ☐ 4. before the mailing date of a first office action after the filing of a request for continued examination (RCE) under 37 C.F.R. § 1.114.

☒ in accordance with 37 C.F.R. § 1.97(c), after the times set forth in 37 C.F.R. § 1.97(b), but before the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, and the fee set forth in 37 C.F.R. § 1.17(p), presently believed to be \$ 180.00, is submitted.

PAYMENT OF FEES

If any fees are due in accordance with 37 C.F.R. §§ 1.97(c) or (d):

☐ A check for the fee set forth in 37 C.F.R. § 1.17(p), presently believed to be \$ 180.00, is enclosed.

☒ Authorization to charge deposit account 01-0035 for the fee set forth in 37 C.F.R. § 1.17(p), presently believed to be \$ 180.00, is enclosed.

☐ No fees are due.

SUBMISSION OF ITEMS OF INFORMATION

In accordance with 37 C.F.R. § 1.98(a)(1), this IDS includes a list on Form PTO/SB/08A (Form PTO-1449) of all patents, publications, or other information submitted for consideration by the Office, incorporated into this IDS as an attachment hereto. Pursuant to 37 C.F.R. § 1.98(b): (i) each U.S. patent listed is identified by patentee, patent number, and issue date; (ii) each foreign patent or published foreign patent application is identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application; and (iii) each publication is identified by author (if any), title, relevant pages of the publication, date, and place of publication. A legible copy of each document listed is attached and incorporated into this IDS, except that no copy of any U.S. patent or patent application is included pursuant to 37 C.F.R. § 1.98(a)(2)(iii) and except as explained below.

RELEVANCE AND DISCUSSION OF THE ITEMS OF INFORMATION

☒ Document WO2004/084104 is a related application to the international application PCT/EP03/03162, of which the present application is a national phase application, directed to common subject matter, with a common applicant and a common inventor. US20060178891 is the English equivalent of WO2004/084104.

☒ The submitted documents US20020005775, DE10028980, DE19935537, FR2719931, and DE4033054 were previously cited in the International Search Report of the international application PCT/EP03/03162 of which the present application is a national phase filing. The International Search Report of the international application PCT/EP03/03162 is also cited herein.

☒ The submitted documents EP0991039, US4882724, DE10028980, WO1993/004449, and WO1998/038589 were previously cited in the International Search Report of the international application WO2004/084104 of which the present application is related, as described herein. The International Search Report of the international application PCT/EP2004/002697, which is the international application WO2004/084104, is also cited herein.

In accordance with 37 C.F.R. §§ 1.97(g) and 1.97(h), the filing of this IDS shall not be construed as a representation that a search has been made or as an admission that information cited in this IDS is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Please charge any deficiency or other fees or credit any refund or overpayment to Deposit Account No. 01-0035.

Respectfully submitted,

/Anthony James Francis Natoli, Reg. No. 36,223/

Date: May 30, 2008

Anthony James Francis Natoli
Registration number 36,223
Attorney for applicant

ABELMAN, FRAYNE & SCHWAB
666 Third Ave., 10th Floor
New York, NY 10017-5621
Tele: 212-949-9022
Fax: 212-949-9190